

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROCKWELL FINANCIAL GROUP, *et al.*,

Petitioners,

-v-

MARK BIRD,

Respondent.

23-CV-5704 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

Petitioners filed a petition to vacate an arbitration award on July 3, 2023. (ECF No. 1.) Respondent Mark Bird submitted a waiver of service on October 2, 2023 and agreed to serve an answer or motion under Rule 12 within sixty days of that date. (ECF No. 3.) The Court then granted two letter motions requesting extensions of time to file an answer to the petition, and it directed Respondent to move, answer, or otherwise respond to the petition on or before December 29, 2023. (ECF Nos. 5, 7.) No response to the petition to vacate arbitration has been filed in the allotted time, nor has Petitioner moved for a default judgment.

Petitioner is directed to notify the Court whether it intends to move for default judgment, or if it has received any communication from Respondent or Respondent's counsel regarding a response to the petition.

If Petitioner fails by February 6, 2024 to either (1) file a letter concerning the status of the case, or (2) move for default judgment against Respondent, the action may be dismissed for failure to prosecute.

Petitioner is directed to serve a copy of this order by mail on Respondent.

SO ORDERED.

Dated: January 16, 2024
New York, New York



J. PAUL OETKEN
United States District Judge